

U.S. Department of Justice

United States Attorney Southern District of New York

The Jacob K. Javits Federal Building 26 Federal Plaza, 37th Floor New York, New York 10278

April 29, 2024

VIA EMAIL & UNDER SEAL

Hon. Analisa Torres Daniel Patrick Moynihan United States Courthouse 500 Pearl St. New York, NY 10007-1312

United States v. Miles Guo et al., S3 23 Cr. 118 (AT)

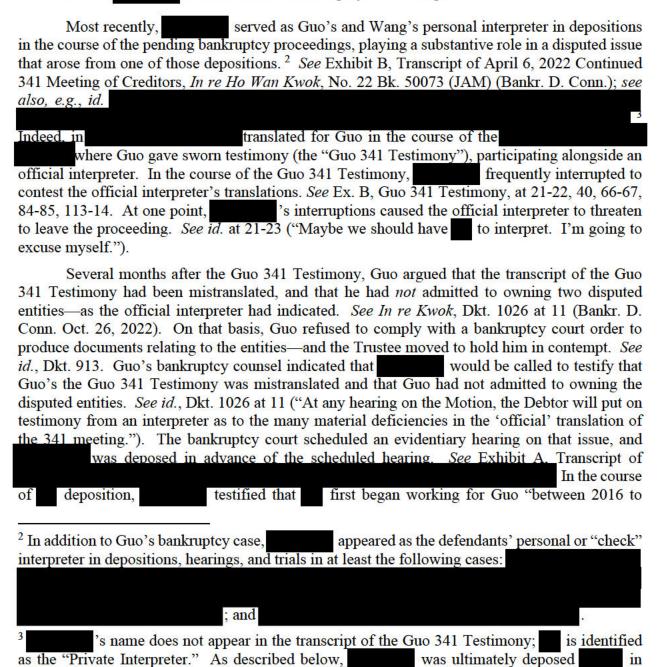
Dear Judge Torres:

The Government writes respectfully to advise the Court that the defendants' longtime personal interpreter appeared as one of two Court interpreters at
The Government respectfully requests that the Court prohibit that interpreter
from participating in any further proceedings in this case given apparent undisclosed conflict
of interest.
I. 's Appearance as a Court Interpreter at the
Two court interpreters participated in and are identified
in the transcript as and . See . At the
, the Government was not aware of any preexisting
relationships between the court interpreters and the defendants. ¹
, the Government was aware that someone named
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II. 's Long Service as the Defendants' Personal Interpreter

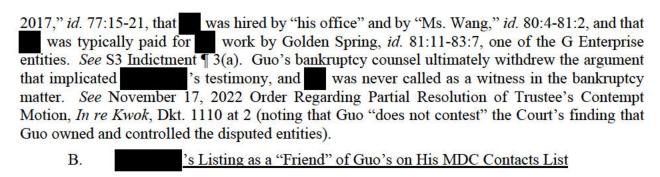
The Government has now confirmed that the defendants and at least one G Enterprise entity have paid for interpreter services at various points over the course of the last seven years, as detailed below.

A. 's Role in Guo's Bankruptcy Proceedings



Guo's bankruptcy proceedings and testified about participation as Guo's private interpreter at

his 341 Testimony. See



's relationship with Guo continued after the defendants' March 15, 2023 arrests in this case. On April 27, 2023, Guo's then-counsel in this matter identified others, as having served an interpreter for Miles Guo and his daughter, Mei Guo, from approximately 2019 to the present, on a list of persons who could be party to potentially privileged communications.⁴ Moreover, may be continuing to communicate with Guo while Guo is detained at the MDC. is listed among Guo's phone and mail contacts at the MDC as a "friend" under the name " " but with the same phone number provided to the Court's Interpreters Office in connection with employment. See Exhibit C (BOP Inmate Center Report) at 2, 4; Exhibit D (email and resume provided to SDNY Court Interpreters Office).

C. Application to the Court's Interpreters Office

Following the the Government contacted the Court's Interpreters Office and was provided with the resume submitted to the Court Interpreters (the Resume lists "notable assignments" on which Resume"). The but does not refer to any of work for Guo, Wang, or in connection between with any of the cases in which appeared on the record as their interpreter—including two cases in this District. . See Exhibit D. The Government also learned from the Court's Interpreters Office that first applied for contract work with the Court's Interpreters Office on or abou 's first contract assignment following application was in or about

The Government later served a grand jury subpoena seeking additional records—including to determine if had appeared as a Court interpreter at any other proceedings in this case—and was informed by the Clerk of Court that such records could only be provided pursuant to a court ordered subpoena. The Government defers to the Court as to whether it wishes to issue a court subpoena for additional relevant records, or to inquire directly with the Clerk of Court for

⁴ Defendants' current counsel of record had not yet been engaged at the point so name was provided to the Government and were not copied on this April 27, 2023 email to the Government from Guo's then-counsel.

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additional information about service—including any additional appearances may have made in this case.⁵

III. Conclusion

The foregoing history, in combination with without any disclosure of longstanding and potentially ongoing relationship with the defendants, requires the Court to bar participation at any remaining proceedings in this case. See ADMINISTRATIVE OFFICE OF THE U.S. COURTS, Standards for Performance and Professional Responsibility for Contract Court Interpreters in the Federal Courts at 1, https://www.uscourts.gov/sites/default/files/standards_for_performance.pdf ("Interpreters shall disclose any real or perceived conflict of interest, including any prior involvement with the case, parties, witnesses or attorneys, and shall not serve in any matter in which they have a conflict of interest.").

Respectfully submitted,

DAMIAN WILLIAMS United States Attorney

By:/s/

Ryan B. Finkel / Juliana N. Murray Micah F. Fergenson / Justin Horton Assistant United States Attorneys (212) 637-6612 / 2314 / 2190 / 2276

cc: Counsel of record (by email)

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⁵ For this reason, and in deference to the Court, the Government has filed this letter under seal. The Government does not object to filing this letter on the docket.